

REMARKS

Claims 1 - 9 remain active in this application. Claims 1 and 4 - 6 have been amended. Verbatim support for the amendments of the claims is found throughout the application such as at page 7, line 14. No new matter has been introduced into the application.

Claims 1, 3 and 5 have been rejected under 35 U.S.C. §103 as being unpatentable over Hashimoto in view of Moro et al. Claims 2 and 6 have been rejected under 35 U.S.C. §103 as being unpatentable over Hashimoto in view of Moro et al., Seshimo et al. and Kageyama. Claim 4 has been rejected under 35 U.S.C. §103 as being unpatentable over Hashimoto in view of Moro et al. and Nagayama. Claim 7 has been rejected under 35 U.S.C. §103 as being unpatentable over Hashimoto in view of Moro et al., Seshimo et al. and Nagasawa. Claims 8 and 9 have been rejected under 35 U.S.C. §103 as being unpatentable over Hashimoto in view of Moro et al., Seshimo et al., Nagasawa and Kitagawa (and also apparently relying in the alternative on Kageyama '757 and Kageyama '206). Essentially, the combination of Hashimoto and Moro et al. has been substituted as a principal reference for Kitagawa et al. previously applied. All five of these grounds of rejection are respectfully traversed for the reasons of record which are hereby incorporated by reference from the previous response and the further remarks provided below.

The invention is directed to a printer or control therefor that provides for user selection of how particular categories of errors will be handled. As is well known, depending on the type and hardware configuration of the printer, some types of errors preclude further operation of the printer until the error

is rectified; often referred to as a recovery being made and requiring operator intervention. Other types of errors can be ignored and the printing continued; allowing the error recovery to be made at a time convenient to the operator. As indicated in the "Background" section of the present application, printers can be arranged to interrupt printing upon detection of any error including types of errors which could be ignored and printing continued notwithstanding the error so that wasteful consumption of materials and production of unusable printed product can be avoided. However, since errors are common and time is consumed for error recovery when printing is interrupted, such a provision is relatively rare. The invention, by allowing responses to each of a plurality of categories of the detected errors, within the type of errors that could be ignored, to be selected by a user allows more productivity and throughput by the printer while providing substantial protection against waste and also reduces the amount of user input required since the number of categories of errors of a type that could potentially be ignored is very much smaller than the number of actual errors of that type which may be encountered.

Hashimoto is relevant to the invention but provides an arrangement which is quite different from the claimed invention and which is deficient to answer the claims at much more fundamental points than has been recognized by the Examiner. In fact, it is respectfully submitted that the combination of Hashimoto and Moro et al. is deficient to answer the claimed subject matter in regard to substantially the same subject matter that Kitagawa et al. (which has been withdrawn except as a secondary reference in regard to claims 8 and 9) was demonstrated to be deficient in the previous response.

That is, while the Examiner recognizes that Hashimoto does not teach or suggest that the predetermined error occurs when inputted print data is other than operatable print data (e.g. a print specification is input to which the printer cannot respond) and cites Moro et al. for such teaching, the types of errors to which Hashimoto is directed are only two (which Hashimoto coincidentally refers to as "categories"): the type that can be ignored and the type which precludes further printing operations. Thus Hashimoto does not provide for different categories of errors *within the type of error that can be ignored* (e.g. the "predetermined errors" are all errors which can be ignored as specifically defined in claims 1 and 5 and errors which preclude continued printing operations are not mentioned in claims 1 and 5).

Further, Hashimoto does not provide anything which is at all comparable to the claimed "setting unit" or which otherwise derives the claimed function of the setting unit to allow a user to specify the error recovery method to be undertaken, much less for particular categories of error. Rather, for errors that could, potentially, be ignored (but which nevertheless can cause a reduction in throughput) Hashimoto merely continues printing and provides an interface to inform the user of the associated reduction in throughput so that the user can interrupt the printing operation manually and recover from the error if the reduction in throughput is deemed unacceptable.

In this latter regard, it is noted that, in the discussion of the rejection applied to claim 7, the Examiner admits that Hashimoto does not teach or suggest a setting unit that allows *user selection* of an error recovery method but in regard to claims 1, 3 and 5,

asserts the setting unit recitation to be answered by the data in the memories specifying whether the printing is to be interrupted or the error ignored (apparently because that recitation of claims 1 and 5, as currently rejected, did not explicitly mention a user but such a recitation has now been supplied by amendment); applying a rationale that the data in the memories must be initially set in some way. However, it is respectfully pointed out that the "setting unit" recitation in the claims as currently rejected is recited as an element of a printer which cannot be inferred from the rationale applied by the Examiner. That is, it would be more likely for the memories of Hashimoto to be embodied as read only memory programmed outside the printer or downloaded from a printer control program, similarly outside the printer than to be provided as an element thereof. In any event, nothing is seen in Hashimoto or Moro et al. which indicates the data to be supplied to the memories by an element of the printer, much less for a plurality of categories of errors *within or among* errors that can be ignored.

Further, in this regard, in the Examiner's discussion of the rejection of claim 7, the Examiner relies on Nagasawa for teaching updating of a data recovery waiting period; asserting that such a teaching "reads of the concept of setting and updating recovery conditions" (emphasis added). It is respectfully submitted that this discussion indicates that the Examiner has merely attempted to address the "gist" of the invention which is well-established to be improper (as failing to address the claimed subject matter as a whole - see M.P.E.P. §2141.02(II)) and insufficient to make a *prima facie* demonstration of obviousness. Further, the setting unit is recited to be for setting

recovery *methods* and updating of recovery waiting period in Nagasawa has nothing to do with a recovery *method* but, at best, only recovery *conditions* as the Examiner evidently realizes. Therefore, Nagasawa does not answer the claim recitations for which it is cited by the Examiner. Seshimo et al. is directed to determining compatibility of an ink cartridge to the printer itself and has nothing to do with the type of errors defined in the claims (e.g. providing printing operation specifications that the printer cannot perform). The only relevance of Seshimo et al. seen or asserted by the Examiner is that the user is given an opportunity to command that printing be performed even when compatibility of the ink cartridge to the printer cannot be confirmed and then only to the extent that the printer will not be damaged. Other prior art relied upon in rejecting dependent claims does not mitigate the above-discussed deficiencies as discussed in the previous response incorporated by reference above and the Examiner has not asserted that it does.

Accordingly, it is clearly seen that the prior art currently relied upon clearly fails to answer the recitations of and claim in the application. No *prima facie* demonstration of obviousness has been made for any claim in the application. Further, the prior art relied upon does not contain several teachings or suggestions the Examiner attributes to them but differ from the claimed invention in several fundamental ways. Moreover, the prior art, considered collectively, does not provide evidence of a level of ordinary skill in the art which would support a conclusion of obviousness since they do not lead to an expectation of success in achieving the meritorious effects of the invention pointed out above.

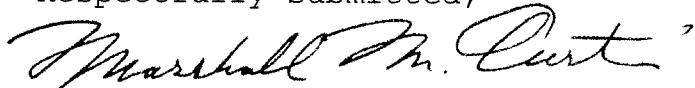
Therefore it is respectfully submitted that *all* of

the currently asserted grounds of rejection are clearly in error and untenable and, upon reconsideration, should be withdrawn. Accordingly such action is respectfully requested.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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